

DECLARATION FOR PATENT APPLICATION

As the below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **NOVEL CARD PROTEINS INVOLVED IN CELL DEATH REGULATION**, the specification of which

_____ is attached hereto as Attorney Docket No. _____).

X was filed on September 1, 1999 as Application Serial No. 09/388,221 (Attorney Docket No. _____)

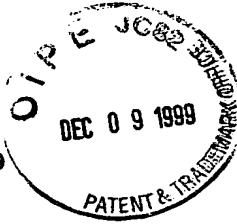
and was amended on (or amended through) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the

Inventor: John C. Reed
Serial No.: 09/388,221
Filed: September 1, 1999
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applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor:

John C. Reed

Inventor's signature:

Date: 11/29/99

Residence:

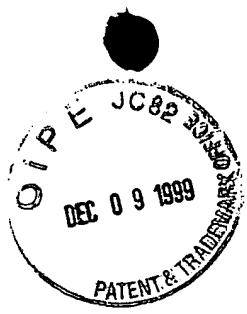
Rancho Santa Fe

Citizenship:

United States

Post Office Address:

17044 El Camino Real
Rancho Santa Fe, California 92067



**POWER OF ATTORNEY FOR PATENT
APPLICATION BY ASSIGNEE**
P-LJ 3650
Serial No.: 09/388,221

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on December 6, 1999.

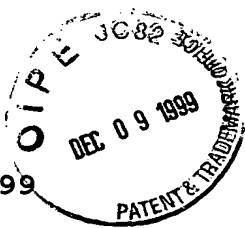
By


Robert T. Ramos, Reg. No. 37,915

December 6, 1999

Date of Signature

Inventor: John C. Reed
Serial No.: 09/388,221
Filed: September 1, 1999
Page 2



The undersigned is authorized to sign on behalf of
the Assignee.

Signature:

A handwritten signature in cursive ink that appears to read "Russell A. Curry".

Name (typed):

Russell A. Curry

Title:

Director, Intellectual Property

Assignee:

THE BURNHAM INSTITUTE

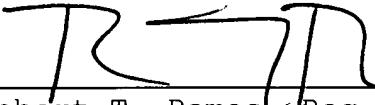
Date:

12/1/99

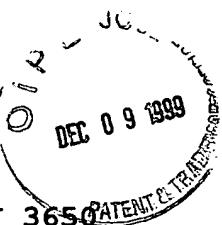


RECORDATION FORM COVER SHEET
AND EXECUTED ASSIGNMENT
P-LJ 3650
Serial No.: 09/388,221

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By 
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December 6, 1999
Date of Signature



Attorney Docket No.: **P-LJ 3650**
Applicants or Patentees: **John C. Reed**
Serial or Patent No.: **09/388,221**
Filed or Issued: **September 1, 1999**
Title: **NOVEL CARD PROTEINS INVOLVED IN CELL DEATH REGULATION**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: **THE BURNHAM INSTITUTE**

ADDRESS OF NONPROFIT ORGANIZATION: **10901 North Torrey Pines Road
San Diego, California 92037**

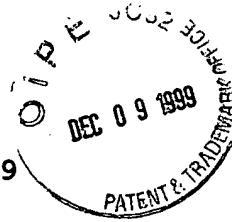
TYPE OF NONPROFIT ORGANIZATION:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
- (NAME OF STATE _____)
- (CITATION OF STATUTE _____)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

Inventor: John C. Reed
Serial No.: 09/388,221
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I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled **NOVEL CARD PROTEINS INVOLVED IN CELL DEATH REGULATION** by inventor(s) **John C. Reed** described in:

- [] the specification filed herewith
[X] application serial no. **09/388,221**, filed **September 1, 1999**
[] patent no. , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any persons, other than the inventors, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

- [] INDIVIDUAL
[] SMALL BUSINESS CONCERN
[] NONPROFIT ORGANIZATION

Inventor: John C. Reed
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Filed: September 1, 1999
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NAME:

ADDRESS:



- [] INDIVIDUAL
[] SMALL BUSINESS CONCERN
[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

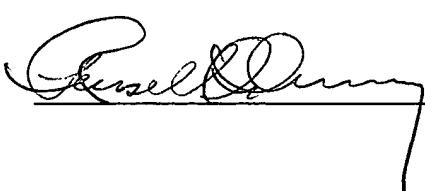
Name of Person Signing: Russell A. Curry

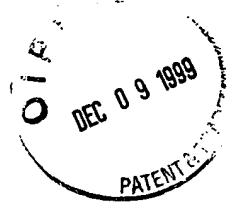
Title in Organization of Person Signing: Director,

Intellectual Property

Address of Person Signing: 10901 North Torrey Pines Road

San Diego, California 92037

Signature: 



STATEMENT UNDER 37 C.F.R. § 3.73 (b)
P-LJ 3650
Serial No.: 09/388,221

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By



Robert T. Ramos, Reg. No. 37,915

December 6, 1999

Date of Signature



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: **NOVEL CARD PROTEINS INVOLVED IN CELL DEATH REGULATION**

Application Ser. No.: **09/388,221**

Filed: **September 1, 1999**

Inventor(s): **John C. Reed**

Attorney Docket No.: **P-LJ 3650**

THE BURNHAM INSTITUTE, a **NON-PROFIT ORGANIZATION**, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: November 19, 1999

Signature: Russell Curry

Name: **Russell A. Curry**
Title: **Director, Intellectual Property**